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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,459	11/28/2000	Feldbau Ofra	207562	7509

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Y. Kurt Chang
Leydig, Voit & Mayer, Ltd.
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, IL 60601-6780

EXAMINER

CALLAHAN, PAUL E

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 06/04/2002

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/724,459

Applicant(s)

Feldbau et al.

Examiner

Paul E. Callahan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 18, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 64-73 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 64-73 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Nov 28, 2000 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Response to Amendment

1. Claims 64-73 have been examined.

Response to Arguments

2. Applicant's arguments with respect to claims 64-73 have been considered but are moot in view of the new ground(s) of rejection applied in this case.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 08/981,461, now US Patent 6,182,219 B1, filed on Aug. 27, 1996.

Drawings

4. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Terminal Disclaimer

5. The terminal disclaimer filed on February 4, 2002 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,182,219 has been reviewed and is accepted. The terminal disclaimer has been recorded however it does not now place the application in a condition for allowance due to new prior art being gained since the mailing of the previous Office Action in this case.

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Claim Objections

6. Claim 72 objected to because of the following informalities: The dependency of claim 72 is listed as claim 72. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 64-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bouricius et al. (U.S. Patent 4,326,098), in view of Schneier, "Applied Cryptography" 2nd Edition 10/1995, and Official Notice taken as detailed below.

As per claims 64, 65, 69, 71-73: Bouricius et al. disclose a system, based on the concept of a vault or central authority, for authenticating that certain information has been transmitted from a sender via a dispatcher (e.g. vault) to a recipient. Bouricius et al. disclose a means for providing a set A comprising information on the contents of the information being electronically transmitted, a time indication (indicia) and destination information associated with said dispatch and information describing the destination of said dispatch. (col. 9: 13-30). Bouricius et al. disclose associating the time of the dispatch. (col. 9: 24-26). Bouricius et al. disclose

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encrypting and step-coding the information to resist or indicate tampering by either the sender or receiver. (col. 9: 31-46) Bouricius et al. disclose associating and securing the dispatch-related information with the contents by generating authorization-information (col. 9: 24-26 and 31-46, where the authorization information is the original ciphertext from the sender to be later used for arbitration if a dispute arises.). Bouricius teaches an authenticator functioning as a non-interested third party with respect to the sender and the recipient and having means for associating the content of the dispatch with said dispatch related information, i.e., indicia, destination information, and having means for securing at least part of said authentication information against tampering of said sender and recipient. (col. 3 lines 14-50 and col. 9 lines 14-51).

As per claim 65, Bouricius teaches the authenticator associating said dispatch related information with the contents of said dispatch by generating authentication information comprising a representation of at least the contents of the dispatch by the use of a digital signature (col. 9 lines 14-52).

As per claim 69, Bouricius does not teach conversion of the electronic document to paper form or delivery by a manual delivery service. However Official Notice can be taken that such steps are old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have incorporated these features into the system of Bouricius. It would have been desirable to do so as this would allow for keeping a hard copy backup of the electronic document and an alternative delivery route.

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As per claim 71, Bouricius teaches verification of the authenticity of either the contents, the time and the destination relating to a dispatch from a sender to a recipient by providing a representation of either of said information elements, verifying said representation for match with a representation of at least part of the authentication data, in fig. 6c items 7 and 11, fig. 6E item 8, and col. 9 lines 12-52.

As per claim 66: Bouricius et al. disclose a method for authenticating a dispatch and contents of the dispatch comprising: receiving content data representative of the contents of the dispatch and a destination of the dispatch (col. 9: 31-67 and col. 10: 17-24, where ciphertexts, C1 and C2, are used for authentication); providing a secure indicia relating to a time of transmission of the dispatch where said time related indicia is provided in a manner resistant to or indicative of tampering by either the sender or the recipient (col. 9: 22-26 and 60-67); and associating by the authenticator acting as a disinterested third party with respect to the recipient and the sender, the content data with the secure dispatch record data and said time related indicia (col. 9: 24-30 and col. 10: 1-5 where the ciphered content, C1 and C2, are associated with a step-cipher, ST1 and ST2).

As per claims 67 and 68: Claims 67 and 68 are the apparatus carrying out the method claimed in claims 64 and 65 and hence are rejected on the same basis.

As per claim 70: Bouricius does not teach use of a certificate for attesting to the dispatch and contents of a dispatch. Schneier however, explains a public-key certificate. (page 426, where the content of the dispatch is the public-key) The public key certificate comprises

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content data (public key), dispatch record data including time indicia (issue date) and the destination (user). The certificate is secured and authenticated through the digital signature applied by the issuing authority (dispatcher). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have incorporated this feature into the system of Bouricius. It would have been desirable to do so as this would allow for more reliable verification of a dispatch and its' contents.

Conclusion

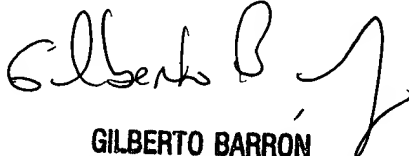
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is 703-305-1336. The examiner can normally be reached on M-F from 9 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239 for official faxes, 746-7240 for unofficial faxes, and 746-7238 for after final faxes..

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900 .

5/28/02

Paul Callahan


GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100